

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHRISTIAN ROSS HOWARD,)	
)	
Plaintiff,)	Civil Action No. 04-217-E
)	
vs.)	
)	
GERARD MILL EQUIPMENT, INC.,)	
)	
Defendant.)	

MOTION TO RESCHEDULE HEARING

NOW comes Plaintiff, by and through his counsel, MICHAEL LOUIK, ESQUIRE and ROSEN LOUIK & PERRY, P.C., and respectfully represents as follows:

1. This Court entered an Order dated March 16, 2006, setting a hearing before this Court on May 17, 2006, at 10:00 a.m., in Courtroom A, Federal Courthouse, 2nd Floor, Erie, Pennsylvania.

2. The purpose of the aforesaid hearing is to determine the amount of damages to be awarded pursuant to judgment by default.

3. Ironically, in a separate matter in which Plaintiff's counsel herein is also counsel of record, an Order of Court was also entered on March 16, 2006, by the Court of Common Pleas of Clarion County setting a Pre-trial Conference requiring Plaintiff's counsel's attendance on May 17, 2006, at 10:00 a.m., in the Clarion County Courthouse, Clarion, Pennsylvania. Plaintiff's counsel received the Order of the Court of Common Pleas of Clarion County several days after he received this Court's Order.

4. The aforesaid case in the Court of Common Pleas of Clarion County involves multiple parties and multiple counsel, while the matter before this Court will likely involve only Plaintiff, Plaintiff's counsel and the Court.

5. Plaintiff's counsel respectfully requests that this Court reschedule the hearing previously set for May 17, 2006, at 10:00 a.m., for another time convenient for this Court, perhaps for the afternoon of May 17, 2006, or whatever other time this Court deems appropriate.

WHEREFORE, Plaintiff's counsel requests the rescheduling of the hearing now set for May 17, 2006, at 10:00 a.m.

Respectfully submitted,

ROSEN LOUIK & PERRY, P.C.

By



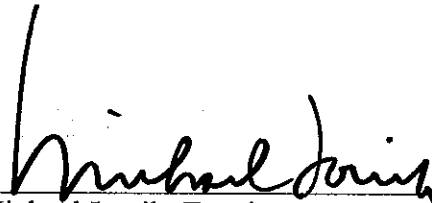
Michael Louik, Esquire
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Attorneys For Plaintiff

CERTIFICATE OF SERVICE

I, the undersigned counsel, hereby certify that the foregoing **MOTION TO RESCHEDULE HEARING** has been served upon Defendant by forwarding a copy by Certified Mail, Return Receipt Requested, and/or by United States Mail, First Class, Postage Pre-paid, this 31ST day of MARCH, 2006, as follows:

Gerard Mill Equipment, Inc.
454 E. Water Street
Elmira, NY 14901

A handwritten signature in black ink, appearing to read "Michael Louik", is written over a horizontal line.

Michael Louik, Esquire
Attorney for Plaintiff